APPROVED FOR RELEASE 2025 UNDER EXECUTIVE ORDER 14176

① Mary Hogan
② redact countries
③ See if O'Brien rolled back
④ Jerry ok w/ calling O'Brien
⑤ " " " Hans

CONFIDENTIAL

Check to see if Lee cover rolled back Mary Hogan

CL BY: 2130716
CL REASON: Section 1.5 C
DECL ON: X1
DRV FRM: COV 1-82; SEC 5-82

TO: Robert D. Caudle@DCI
FROM: Paul F. Morris @ DA
OFFICE: CCS LEGAL ADVISOR
DATE: 02/24/99 03:09:07 PM
SUBJECT: Re: CCS Decision DOJ request for O'Brien BI report in MKL case

See if Lee cover was rolled back

Bob,

(C) Assuming OGC has no objections, John Turnicky (DD/CCS/PS) also has no objections to these two outstanding requests from DOJ if DOJ has agreed to: 1) respect CIA's classification decisions; 2) handle all CIA provided material "for lead purposes only;" and 3) coordinate with CIA for CIA's concurrence before releasing any CIA provided material publicly. DOJ should be told that the results of any interview of the examiner who conducted Mr. McCollough's EOD polygraph examination will need to be treated as classified until CIA has an opportunity to review the material for disclosure of sensitive CIA polygraph methodologies. Also, DOJ also needs to understand that Mr. McCollough's 1989 BI was conducted under DoD cover. As a result, the results of the O'Brien interview will also need to be treated as classified pending CIA review.

(C) Hans G. Bialasik was Mr. McCollough's EOD poly examiner. He retired from CIA in October 1996 as an overt Agency employee. His last known address is 1809 Sycamore Valley Drive #302, Reston, VA 22090 (tel: 703-787-9178). I'll fax you a copy of the 89 BI. However, does DOJ really want the whole BI report or just the interview of William Hicks?

No mention of cover mechanism

(C) John wants to know if CCS is precluded from notifying Mr. McCollough that DOJ has been reviewing his CIA files in connection with it inquiry.

Talk w/ O'Brien

Original Text of Robert D. Caudle
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Paul: I would appreciate whatever you could do to facilitate a CCS decision on whether this BI report can be provided to DOJ/Civil Rights for their use in interviewing O'Brien. As I understand it, this report contains no classified information. I would be hard pressed to identify a rationale for not providing it to DOJ. Along with a request for access to the original CIA polygraphers, I believe this is the only remaining action item from Bill Lann Lee's letter to me on this case. Thanks!

CC: Alan C. Wade@DA, John A. Turnicky@DA, David M. Pearline@DCI, Guyron C. Watts@DCI
Sent on 24 February 1999 at 03:09:07 PM